

### **Remarks**

Claims 1-7, and 11-20 were pending. Claims 1 and 17 are amended and claim 19 is cancelled. Accordingly, upon entry of this amendment claims 1-7, 11-18, and 20 will be pending. Support for the amendment to claims 1 and 17 can be found throughout the specification and more specifically on page 7 in Table 2. No new matter has been added. Applicant reserves the right to pursue rights to the canceled subject matter in a continuing application.

Applicant's representative discussed the inclusion of an upper molecular weight description with Examiner Layla Bland on May 29, 2008 during a telephone conference. Applicant proposed the inclusion of an upper molecular weight of about 258,933 as provided in the specification on page 7 in Table 2. Examiner Bland indicated that such language would overcome the outstanding rejections.

#### ***Claim Rejections – 35 U.S.C. § 112***

Claim 19 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claim 19 has been canceled and the limitations of claim 19 have been included in presently amended claims 1 and 17 (the only two independent claims pending). Additionally, claims 1 and 17 have been amended to include the upper molecular weight of about 258,933. Applicant believes that the inclusion of this upper limit overcomes the rejection relating to the molecular weight of the chitosan and therefore, claims 1 and 17 and all claims that depend therefrom should be allowable. Accordingly, Applicant respectfully requests reconsideration.

#### ***Claim Rejections – 35 U.S.C. § 103***

Claims 1-7 and 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hu *et al.* (1999) in view of Butelman *et al.* (1990) and Konda *et al.* (2000).

As provided above, independent claims 1 and 17 have been amended to include the description provided in presently canceled claim 19. Claim 19 was not rejected under 35 U.S.C. § 103. Accordingly, Applicant considers this rejection overcome and respectfully requests reconsideration.

**Conclusion**

Based on the foregoing amendments and arguments, the claims are in condition for allowance and notification to this effect is requested. If for any reason the Examiner believes that a telephone conference would expedite allowance of the claims, please telephone the undersigned.

Respectfully submitted,

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